

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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JOEL PENTLARGE,	:	
Plaintiff	:	
	:	
v.	:	CIVIL ACTION NO. 04-30177-PBS
	:	
ROBERT MURPHY, et al.	:	
Defendants	:	

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PLAINTIFF’S OPPOSITION TO DEFENDANT’S KATHLEEN DENNEHY, ROBERT MURPHY AND THE MASSACHUSETTS DEPARTMENT OF CORRECTION TO EXTEND TIE TO RESPOND TO PLAINTIFF’S MOTION TO CONSOLIDATE AND TO RESCHEDULE HEARING ON MOTION TO CONSOLIDATE

Plaintiff, Joel Pentlarge, hereby opposes the request for an extension of time by the defendants, Massachusetts Department of Correction (“DOC”), Kathleen Dennehy and Robert Murphy (collectively, the “DOC Defendants.”).

As grounds, plaintiff states that this is the second extension the DOC defendants have requested. Plaintiff had previously assented, orally, to a one month extension for reasons similar to the one stated in the present motion. Namely, the DOC defendants claimed then, as they do now, that counsel is simply too busy with other litigation and an increased workload. This litigation, however, should not be delayed any longer. In reality, counsel for the DOC defendants will continue to be busy. There is no reason to think that counsel will not seek a continuance in one month for the very same reasons.

Certificate Pursuant to Local Rule 7.1

On August 24, 2005, undersigned counsel spoke with Mary Murray and did not assent to the motion. Attorney Murray filed the motion the following day.

Respectfully submitted,
By his attorney,

/s/ John G. Swomley
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Dated: August 26, 2005

Certificate of Service

I hereby certify that I caused a copy of the within document to be served by first class mail, postage pre-paid as follows: (1) Mary P. Murray, counsel for Defendants Massachusetts Department of Correction, Kathleen Dennehy and Robert Murphy, 30 Administration Road, Bridgewater, MA 02324; and (2) Kevin Mulvey, counsel for defendants Pushkina and O'Donnell, Mulvey & Sneider, LLP, 1622A Beacon Street, Brookline, MA 02446-2201.

Date: August 26, 2005

/s/ Danielle Andreasi
Danielle Andreasi